

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION
2013 DEC 11 PM 4:26

SOUTHERN DISTRICT
OF INDIANA
LACRA A. BERRY
CLERK

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CAUSE NO. 1:13-cr-

RONALD W. NICTER,)

Defendant.)

1 : 13 -cr- 0249 WTL-MJD

INDICTMENT

COUNTS ONE - EIGHT
MAIL FRAUD – 18 U.S.C. § 1341

The Grand Jury charges that:

1. Beginning in or before October 2009 and continuing through April 2013, RONALD W. NICTER (NICTER), defendant herein, knowingly devised, and intended to devise, a scheme and artifice to defraud, and to obtain money, funds, and other property in excess of \$160,000 by means of materially false and fraudulent pretenses, representations and promises, which scheme is more fully described as follows:
2. NICTER purchased securities and managed securities accounts on behalf of clients in and around the central Indiana area with clients in, among other locals, Pendleton, IN; Anderson, IN; Greenfield, IN; Clearwater FL; and Shirley, IN.
3. As part of his duties, NICTER would meet with clients and create an investment profile which included such information as the client's name, address, date of birth, social security number, investment goals, and risk tolerance. NICTER would also obtain paperwork

and information necessary to open securities accounts in the name of the clients, which included creating automatic clearing house authorization for various purposes.

4. As part of his duties, NICHTER would engage in securities transactions on behalf of his clients. This process involved NICHTER and the client completing a "Limited Trading Authorization" which was a document where the client authorized NICHTER to purchase or sell a security. NICHTER would also make withdrawals on behalf of his clients. In order to make a withdrawal, NICHTER and the client would complete a "Letter of Authorization" which directed the account custodian to withdraw and disburse funds as directed by the Letter of Authorization. At all times material to this Indictment, Raymond James Financial, Inc. (hereinafter Raymond James), headquartered in Florida, was the custodian for the accounts in question.

5. Beginning in October 2009, and continuing through February 2013, NICHTER created false Letters of Authorization, complete with client signatures forged by NICHTER, purportedly requesting that funds be withdrawn from the victim client's account. NICHTER would send these false Letters of Authorization to Raymond James. Raymond James, in reliance upon the false Letters of Authorization, would then withdraw funds from the victim client's account, convert the funds to a check made payable to the victim client, and send the check via United States Mail or a commercial interstate carrier (United Parcel Service – UPS) from Florida to one of two addresses provided by NICHTER; a P.O. Box in Pendleton, IN rented by NICHTER, or the home of NICHTER's former assistant, also in Pendleton, IN. NICHTER would then take custody of the check, endorse the check with the forged signature of the victim client, deposit the check into an account he controlled, and use the proceeds for his personal benefit.

6. For the purpose of executing the above described scheme and artifice, and attempting to

do so, NICHTER, in the Southern District of Indiana, caused checks, including but not limited to, the following, to be deposited to be sent or delivered, each deposit being a separate count:

Count	Document	Method of Delivery	Date Deposited with Mail of Private Carrier
One	Check in the amount of \$10,000 drawn on the account of Victim One	United States Mail	On or about October 19, 2009
Two	Check in the amount of \$3,500 drawn on the account of Victim One	United Parcel Service	On or about November 16, 2010
Three	Check in the amount of \$10,000 drawn on the account of Victim One	United Parcel Service	On or about August 2, 2011
Four	Check in the amount of \$5,000 drawn on the account of Victim One	United States Mail	On or about March 14, 2012
Five	Check in the amount of \$10,000 drawn on the account of Victim One	United Parcel Service	On or about June 18, 2012
Six	Check in the amount of \$10,000 drawn on the account of Victim One	United Parcel Service	On or about August 28, 2012
Seven	Check in the amount of \$5,000 drawn on the account of Victim One	United Parcel Service	On or about January 14, 2013
Eight	Check in the amount of \$5,000 drawn on the account of Victim One	United Parcel Service	On or about February 6, 2013

All in violation of Title 18, United States Code, Section 1341.

COUNTS NINE - SIXTEEN
AGGRAVATED IDENTITY THEFT – 18 U.S.C. 1028A

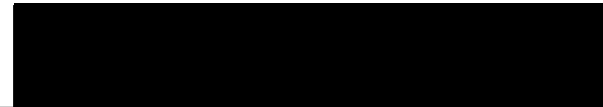
7. Paragraphs one through six of this Indictment are incorporated as if fully set forth herein.
8. On or about the dates set forth in the following chart, each date being a separate count, RONALD W. NICHTER, within the Southern District of Indiana, during the commission of the offenses set forth in Counts One through Eight, knowingly, in and effecting interstate

commerce, used without lawful authority one or more means of identification of another person (Victim One).

Count	Date	Means of Identification Used
Nine	On or about October 19, 2009	Account Number of Victim One; Name of Victim One
Ten	On or about November 16, 2010	Account Number of Victim One; Name of Victim One
Eleven	On or about August 3, 2011	Name of Victim One
Twelve	On or about March 12, 2012	Account Number of Victim One; Name of Victim One
Thirteen	On or about June 18, 2012	Account Number of Victim One; Name of Victim One
Fourteen	On or about August 28, 2012	Account Number of Victim One; Name of Victim One
Fifteen	On or about January 14, 2013	Account Number of Victim One; Name of Victim One
Sixteen	On or about February 7, 2013	Name of Victim One

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (b), & (c)(5).

A TRUE BILL:



FOREPERSON

JOSEPH H. HOGSETT
United States Attorney

By:



Bradley P. Shepard
Assistant United States Attorney